

Substitute for FORM PTO-1449			Attorney Docket Number 101.0112-01000		Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION			Applicant Gary K. Michelson		Application Number (Div. of 10/160,086)	
(Use several sheets if necessary) Sheet <u>1</u> of <u>3</u>			Filing Date March 24, 2004		Group Art Unit 3732	Examiner P. Philogene
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
PP	Des. 402,032	12/1998	Stone			
	Des. 406,646	3/1999	Stone			
	Des. 440,311	4/2001	Michelson			
	Des. 449,692	10/2001	Michelson			
	Re. 31,628	7/1984	Allgower et al.			
	1,105,105	7/1914	Sherman			
	3,604,414	9/1971	Borges			
	4,488,543	12/1984	Tornier			
	4,493,317	1/1985	Klaue			
	4,503,848	3/1985	Caspar et al.			
	4,651,724	3/1987	Berentey et al.			
	4,794,918	1/1989	Wolter			
	4,936,848	6/1990	Bagby			
	5,041,113	8/1991	Biedermann et al.			
	5,053,036	10/1991	Perren et al.			
	5,127,912	7/1992	Ray et al.			
	5,147,361	9/1992	Ojima et al.			
	5,180,381	1/1993	Aust et al.			
	5,190,544	3/1993	Chapman et al.			
	5,209,751	5/1993	Farris et al.			
	5,300,073	4/1994	Ray et al.			
	5,364,399	11/1994	Lowery et al.			
	5,397,363	3/1995	Gelbard			
	5,423,826	6/1995	Coates et al.			
	5,520,690	May-96	Errico et al.			
	5,531,746	7/1996	Errico et al.			
	5,531,747	7/1996	Ray			
	5,549,612	8/1996	Yapp et al.			
✓	5,558,674	9/1996	Heggeness et al.	✓	✓	

PP	5,578,034	11/1996	Estes				
	5,601,553	2/1997	Trebing et al.				
	5,607,426	3/1997	Ralph et al.				
	5,616,142	4/1997	Yuan et al.				
	5,643,265	7/1997	Errico et al.				
	5,662,652	9/1997	Schafer et al.				
	5,676,666	10/1997	Oxland et al.				
	5,676,703	10/1997	Gelbard				
	5,735,853	4/1998	Olerud				
	5,735,899	4/1998	Schwartz et al.				
	5,755,796	5/1998	Ibo et al.				
	5,766,254	6/1998	Gelbard				
	5,876,402	3/1999	Errico et al.				
	5,951,558	9/1999	Fiz				
	5,954,722	9/1999	Bono				
	5,964,763	10/1999	Incavo et al.				
	6,022,350	2/2000	Ganem				
	6,030,389	2/2000	Wagner et al.				
	6,136,001	10/2000	Michelson				
	6,139,550	10/2000	Michelson				
	6,152,927	11/2000	Farris et al.				
	6,193,721	2/2001	Michelson				
	6,224,602	5/2001	Hayes				
	6,228,085	5/2001	Theken et al.				
	6,235,034	5/2001	Bray				
	6,306,136	10/2001	Baccelli				
	6,328,738	12/2001	Suddaby				
	6,342,055	1/2002	Eisermann et al.				
	6,402,756	6/2002	Ralph et al.				
	6,413,259	7/2002	Lyons et al.				
↓	2002/0111630	8/2002	Ralph et al.	↓	↓		

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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
PP	DE 4409833	10/1995	Germany	↓	↓	Abstract Only
PP	DE 4414781	11/1995	Germany	↓	↓	U.S. Equivalent USP 5,662,652
PP	WO 94/026193	11/1994	WIPO	↓	↓	N/A

PP	WO 95/035067	12/1995	WIPO			N/A
PP	WO 96/008206	3/1996	WIPO			N/A
PP	WO 96/039975	12/1996	WIPO			N/A
PP	WO 99/056653	11/1999	WIPO			N/A
PP	WO 01/026566	4/2001	WIPO			N/A
PP	WO 01/089428	11/2001	WIPO			N/A
PP	WO 02/085226	10/2002	WIPO	↓	↓	N/A

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

PP	Advertisement for Codman Anterior Cervical Plate System by Codman, Johnson & Johnson, Professional, Inc.; undated.
PP	AESCLAP Scientific Information Booklet; <u>Anterior Cervical Fusion and Interbody Stabilization with the Trapezial Osteosynthetic Plate Technique</u> by Wolfhard Casper; 2/86.
PP	Brochure by SYNTHES Spine for <u>Cervical Spine Locking Plate</u> ; 1991.
PP	ORION Brochure; <u>Anterior Cervical Plate System, Surgical Technique</u> , as described by Gary L. Lowery, M.D., Ph.D.; 1996.
PP	CODMAN Brochure; <u>Anterior Cervical Plate System</u> ; 9/1995.
PP	SPINAL CONCEPTS Brochure: The AcuFix, Anterior Cervical Plate System; undated.
PP	EBI Brochure: <u>Introducing EBI VueLock, Anterior Cervical Plate System</u> ; 2001.
PP	BLACKSTONE Brochure: Blackstone Anterior Cervical Plate; undated.
PP	ALPHATEC MANUFACTURING Brochure: DeltaLoc, Anterior Cervical Plate System; undated.
PP	SOEAMOR DANEK Brochure: Atlantic, Anterior Cervical Plate System; undated.
PP	ORTHO DEVELOPMENT Brochure: Ortho Development Cervical Plate; undated.
PP	OSTEOTECH Brochure: Affirm, Anterior Cervical Plate System; undated.

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Substitute for FORM PTO-1449		Attorney Docket Number 101.0112-01000		Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small> Sheet <u>1</u> of <u>1</u>		Applicant Gary K. Michelson, M.D.		Application Number 10/809,242	
		Filing Date March 25, 2004		Group Art Unit 3732	Examiner (P. Philogene)

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
PP	4,034,418	7/1977	Jackson et al.				
PP	4,743,256	5/1988	Brantigan				
PP	5,167,665	12/1992	McKinney				
PP	5,672,177	9/1997	Seldin				
PP	6,045,554	4/2000	Grooms et al.				
PP	6,217,580	4/2001	Levin				
PP	6,224,607	5/2001	Michelson				
PP	6,395,030	5/2002	Songer et al.				
PP	6,558,686	5/2003	Darouiche				

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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
PP	3,658,585	5/1972	Haboush			
	5,129,903	7/1992	Luhr et al.			
	5,234,431	8/1993	Keller			
	5,344,421	9/1994	Crook			
	5,470,333	11/1995	Ray			
	5,681,313	10/1997	Diaz			
	5,713,900	2/1998	Benzel et al.			
	5,800,433	9/1998	Benzel et al.			
	5,843,082	12/1998	Yuan et al.			
	6,117,135	12/2000	Schlapfer			
	6,159,213	12/2000	Rogozinski			
	6,302,883	10/2001	Bono			
	6,410,519	6/2002	Gruskin et al.			
	6,533,786	3/2003	Needham et al.			
	6,602,256	8/2003	Hayes			
	6,605,090	8/2003	Trieu et al.			
	6,645,208	11/2003	Apfelbaum et al.			
	6,702,817	3/2004	Beger et al.			
	2002/0055741	5/2002	Schlapfer et al.			
	2003/0229348	12/2003	Sevrain			
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
PP	DE4007306	5/1991	Germany			English Abstract
PP	DE19542084	6/1997	Germany			English Abstract
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER /Pedro Philogene/			DATE CONSIDERED 11/17/2006			
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
PP	5,646,142	7/1997	Dantanarayana et al.			
PP	5,865,848	02/1999	Baker			
PP	5,964,762	10/1999	Biedermann et al.			
PP	6,585,738	7/2003	Mangione et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
PP	WO 00/01314	1/20000	WIPO			Abstract Only

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

PP	Bone Growth Stimulation, http://www.healthatoz.com/healthatoz/Atoz/ency/bone_growth_stimulation.jsp

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
PP	4,487,809	8-1984	Brighton			

FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)

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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
PP	4,795,804	1/1989	Urist			
PP	6,087,555	7/2000	Duntan et al.			
PP	6,106,557	8/2000	Robloneck et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
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NOT FOR PUBLICATION			
Examiner Initial	Application Number	Filing/Issue Date	Publication/ Patent No.
PP /Pedro Philogene	10/160,062	04JUN2002	2002/0183756
pp	10/160,247	04JUN2002	2002/0188296
pp	10/160,407	04JUN2002	2003/0060828
pp	10/160,408	04JUN2002	2002/0183754
pp	10/160,059	04JUN2002	2002/0183755

Applicant respectfully requests that the Examiner consider the documents listed above, indicate that they were considered by making appropriate notations in the appropriate column, and return a copy of this sheet to the Applicant.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: March 24, 2004

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